IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4258 OF 2006

Ibrahim Dastagir Kudchikar & Ors. .. Petitioners.
Vs.
Vasantrao Aabasaheb Bhosale .. Respondent.

Mr.S.R.Ganbavale for the petitioners.

CORAM : D.B.BHOSALE, J.

DATED : 23RD AUGUST, 2006

P.C.:

. Heard learned counsel for the petitioners.

2. This petition is directed against the order dated 15.10.2005 by which the application of the respondent-plaiintiff has been allowed appointing the Court Commissioner. This being discretionary order I am not inclined to interfere in the writ jurisdiction under Article 227 of the Constitution. It is always open for the petitioners to file their objections to the Court Commissioner's report that will be filed in pursuance of the impugned order and if such objections are raised the Court will have to consider them on merits. In the circumstances this petition is dismissed.

(D.B.Bhosale, J.)